

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

Your affiant, Rachelann Cardwell, does swear and affirm the following to be true and accurate to the best of my knowledge and belief:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Federal Task Force Officer with the Federal Bureau of Investigation and have been since May 2015. I joined the Suffolk Police Department in March of 2009 and was promoted to Detective in 2011. I am currently a Detective with the Suffolk Police Department and assigned to the Norfolk Federal Bureau of Investigation (FBI) on the Joint Terrorism Task Force (JTF) since May of 2015 as a Federal Task Force Officer. I have conducted numerous felony investigations, which have led to arrests and prosecutions during my career. While on the JTF I have worked International and Domestic Terrorism cases which have led to Federal arrests and prosecutions. I have had numerous trainings provided by my department focusing on violent crimes, social media exploitation, cell phone analysis. While at the FBI I have had numerous trainings in reference domestic and international terrorism, to include ideologies, extremist behaviors, and recruitment techniques over the course of my law enforcement career. I have been the principal investigator in state and federal investigations involving violent incident crimes, bank robbery, violations of the Hobbs Act, gun violations, and Material Support to Terrorism. Through experience and training, I have become familiar with the methods and schemes employed by criminals to use encrypted applications and VPNs to mask their criminal activity.

2. I am familiar with, and have utilized, a wide variety of investigative techniques, including but not limited to the development of cooperating sources, physical surveillance, telephone toll record analysis, pen registers, requesting and serving grand jury subpoenas, search warrants applications, arrest warrants, and electronic surveillance. As a result of my training and

experience as a Federal Task Force Officer for the FBI, I am familiar with Federal and State laws and statutes. The facts in this Affidavit come from my personal observations, my training and experience, my review of documents, and information obtained from other agents and witnesses.

3. This affidavit is submitted in support of an application for a criminal complaint charging BRAD KENNETH SPAFFORD with a violation of Title 26 U.S.C § 5861(d) (unlawful possession of firearms, namely, the possession of an unregistered short-barrel rifle).

4. The facts and information contained in this affidavit are based upon my training and experience, participation in firearms and narcotics investigations, personal knowledge, and observations during this investigation, as well as the observations of other law enforcement officers involved in this investigation. All observations not personally made by me were relayed to me by the individuals who made them or were conveyed to me by my review of records, documents, and other physical evidence obtained during this investigation.

5. This affidavit is being submitted for the limited purpose of obtaining a criminal complaint and arrest warrant. I have set forth only those facts that I believe to be necessary to establish probable cause for the charges described below and have not included each and every fact and matter observed by me or known to the Government.

FACTS SUPPORTING PROBABLE CAUSE

6. On or about January 17, 2023, a confidential human source (CHS) provided information that SPAFFORD disfigured his hand on or about July 4, 2021 while working with a homemade explosive device, and was stockpiling weapons and homemade ammunition. The CHS observed SPAFFORD's hand both before and after the event, and saw that several fingers were missing after the event. The CHS reported that SPAFFORD and his friends are preparing

for something that SPAFFORD would not be able to do alone. SPAFFORD told the CHS that he makes approximately 50 rounds of ammunition per day.

7. On or about May 20, 2023, the CHS and SPAFFORD went to a gun range in the City of Suffolk and went shooting. Both the CHS and SPAFFORD brought their own weapons. The CHS brought a registered short barrel rifle and SPAFFORD also brought a rifle in addition to other weapons. The CHS advised that based on their prior experience the rifle SPAFFORD brought to the range appeared to be under 16 inches. The CHS was unable to lay their registered short barrel rifle beside SPAFFORD's for confirmation but believes this was in fact a short barrel rifle.

8. The CHS provided additional information that SPAFFORD created a "go box" for the back of his vehicle. From my training and experience, I know a "go box" to be a box or bag that has been modified with medical supplies, weapons, ammunition, food and water in the event one needs to act fast to a situation because it is staged for quick access and movement. SPAFFORD sent pictures of the "go box" in the back of a SUV to the CHS on or about September 14, 2023. This vehicle appears to be a car known to be owned by SPAFFORD. The pictures showed several rifles, of which one appeared to be a short barrel rifle, ammunition, medical kits, Tyvek suits, food, water, and other weapons inside the "go box".

9. On or about November 27, 2023, SPAFFORD informed the CHS that he has a 10" barrel rifle. Federal law defines a short-barreled rifle as a rifle with a barrel shorter than sixteen inches in length. 26 U.S.C. § 5845(a).

10. On or about December 21, 2023, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) responded to a request from the Norfolk FBI in reference to SPAFFORD

having a tax stamp. The ATF responded that SPAFFORD does not have any tax stamps or registered short barrel rifles on file.

11. On October 19, 2024, the CHS met with SPAFFORD at SPAFFORD's residence in Smithfield, Virginia. During the meeting SPAFFORD informed the CHS that he has a short barrel rifle which is not registered because he does not believe in registration. SPAFFORD informed the CHS that he moved many hundred-pound boxes of ammunition to the SUBJECT PREMISES, but he does not have 10,000 rounds yet.

12. On or about December 6, 2024 the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) responded to a request from the Norfolk FBI in reference to SPAFFORD having a tax stamp. The ATF responded that SPAFFORD does not have any tax stamps or registered short barrel rifles on file and does not have a license to have explosive materials.

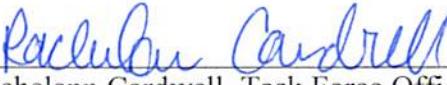
13. On or about November 20, 2024, the photograph of the short barrel rifle from the "go box" was sent to Agent Megan Shumaker who is a FBI Special Agent and is a Federal Task Force Officer at the ATF and she advised based on her training and experience, this appears to be an SBR based off the photograph. The barrel is not likely to be 16 inches.

CONCLUSION

19. Based on the information and evidence set forth above, I respectfully submit that there is probable cause to establish that on or about October 19, 2024, in Smithfield, in Isle of Wight County, in the Eastern District of Virginia, BRAD KENNETH SPAFFORD, violated 26 U.S.C § 5861(d) by knowingly possessing a firearm, that is: a short barrel rifle as defined in 26 U.S.C. § 5845(a), which was not registered to the defendant in the National Firearms Registration and Transfer Record, as required by 26 U.S.C. § 5841.

20. Accordingly, I request that the complaint and an arrest warrant be issued, charging BRAD KENNETH SPAFFORD with this offense.

Further your affiant sayeth naught.


Rachelann Cardwell, Task Force Officer
Federal Bureau of Investigation (FBI)

Sworn and subscribed to before me this 10th day of December 2024.


UNITED STATES MAGISTRATE JUDGE